

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Frank D. Tuttle	Group Art Unit: 3692
Application No.: 09/518,837	Examiner: Frantzy Poinvil
Filed: 03/03/2000	Attorney Docket No.: 800470
Title: Loan Compliance Auditing System and Method	

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 CFR 1.111

Introductory Comments

Dear Sir:

The following is a response to the Office Communication of February 7, 2007. In that Office Communication, the Office rejected all applicant's claims 1-42 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,643,625 by Acosta et al. Applicant has amended claims 1, 2, 22 and 25, and added new claims 43-46.to further distinguish Applicant's claimed invention, and to enable allowance of the claims.

Applicant inventor has submitted a declaration under 37 CFR 1.131 in Attachment 1 to swear behind the Acosta reference. In an alternative response to the 37 CFR 1.131 declaration, Applicant has presented arguments based on a reasoned analysis and factual inquiry under the factors presented in *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1 (1966) to establish a case of nonobviousness. A supporting declaration under 37 CFR 1.132 is also included in Attachment 2.

Inventor's Declaration under 37 CFR 1.131

Inventor submits a Declaration under 37 CFR 1.131 in Attachment 1 appended to this response to establish prima facie a case of prior inventorship over the Acosta reference cited by the Office. Included in the Declaration in Attachment 1 are exhibits that support the facts presented in the Declaration. The Declaration, with supporting evidence, shows conception of the claimed invention prior to the filing date of U.S. Patent No. 6,643,625 by Acosta et al. and due diligence from prior to the filing date of the Acosta reference until a constructive reduction to practice of the claimed invention by filing the present patent application on March 3, 2000. Applicant inventor submits that based on the facts and evidence presented in the Declaration of Attachment 1, the applicant's date of invention is earlier than the filing date of U.S. Patent No. 6,643,625 by Acosta et al.